

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

APPLERA CORPORATION, MDS INC., and
APPLIED BIOSYSTEMS/MDS SCIEX
INSTRUMENTS,
Plaintiffs and
Counterclaim Defendants,

v.

THERMO ELECTRON CORPORATION,
Defendant and
Counterclaim Plaintiff

Civil Action No. 04-1230-GMS
Civil Action No : 05-110-GMS
CONSOLIDATED

THERMO FINNIGAN LLC,

Plaintiff and
Counterclaim Defendant,

v

APPLERA CORPORATION, MDS INC., and
APPLIED BIOSYSTEMS/MDS SCIEX
INSTRUMENTS,

Defendants and
Counterclaim Plaintiffs

THERMO FINNIGAN LLC,

Plaintiff,

v

APPLERA CORPORATION,

Defendant

Civil Action No. 04-1505-GMS

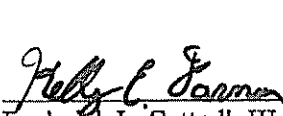
STIPULATION AND ORDER

The parties have been negotiating a protective order for some time. As of today, the parties have an agreement in principle as to all terms except that final approval is needed from a Thermo decision-maker who is not available today. The parties expect to promptly resolve this matter and file the proposed Protective Order on or before Tuesday, June 21, 2005. Subject to the Court's approval, the parties thus stipulate to move the deadline to file the proposed Protective Order to that date.



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 Instruments

Dated: June 17, 2005



by Atty / 4015

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 Attorneys for Thermo Electron Corp.
 and Thermo Finnigan LLC

Dated: June 17, 2005

APPROVED AND SO ORDERED this ____ day of June, 2005

 U.S.D.J.